

ORDINANCE NO. 26

**AN ORDINANCE REGULATING PARADES AND DEMONSTRATIONS  
BE IT ORDAINED BY THE COVERNING BODY  
OF THE COUNTY OF CASWELL**

**SECTION 1. DEFINITIONS.**

For the purposes of this Ordinance, the following terms shall have the definitions ascribed:

- (a) "Block" is that portion of any street or road lying between its intersections with other streets or roads.
- (b) "Parade" is any parade, march, ceremony, show, exhibition, or procession of any kind in or upon the public streets, sidewalks, alleys, roads, parks or other public places, involving more than four (4) persons or more than three (3) vehicles.
- (c) "Person" is any person, firm, corporation, partnership, association, or other organization, whether formal or informal.
- (d) "Demonstration" is any assembly together or concert of action between more than four (4) persons for the purpose of protesting any matter, making known any position, or promoting certain persons or organizations, or attracting attention to such assembly.

**SECTION 2. PERMIT REQUIRED.**

It shall be unlawful for any person to organize, conduct, or participate in any parade or demonstration in or upon any road, street, sidewalk, alley, or other public place within the County unless a permit has been issued by the County in accordance with the provisions of this Ordinance.

**SECTION 3. UNLAWFUL PARTICIPATION.**

It shall be unlawful for any person to conduct or participate in any parade or demonstration for any purpose or in any manner other than those set out in the application and permit.

**SECTION 4. APPLICATION FOR PERMITS.**

A written application on a form supplied by the County shall be made to the Sheriff by persons desiring to have a parade or demonstration. Such applications shall be submitted at least ninety-six (96) hours in advance. However, where good cause is shown or in the judgment of the Sheriff, the activity would involve significant political or religious features and; therefore, be entitled to enhanced deference or protection under the state and federal constitutions, the Sheriff shall consider applications filed after the deadline. Employees of the Sheriff's Department shall immediately indicate the time of receipt on the face of the application. The application shall be signed by the applicant and shall include the following:

- (a) The name, address, and telephone number of the applicant;
- (b) If the parade or demonstration is proposed to be conducted for, on behalf of, or by an organization, the name.

address, and telephone number of the headquarters of the organization and of the authorized and responsible head of such organization;

- (c) The name, address, and telephone number of the person to be present and responsible for the conduct of the parade or demonstration;
- (d) The date when the parade or demonstration will be conducted;
- (e) The location by roads or streets of any assembly areas for such parade or demonstration;
- (f) The time when units of the parade or demonstration will begin to assemble at any such assembly area or areas;
- (g) The times when the parade or demonstration will begin and terminate;
- (h) The route to be traveled, the starting point, and the termination point, or the location, if stationary;
- (i) A statement as to whether the parade or demonstration will occupy all or only a portion of the width of the roads, streets, sidewalks, parks, alleys, or other public places proposed to be traversed or occupied;
- (j) The approximate number of persons, animals, and vehicles expected to participate, and the type of animals and a description of the vehicles; and
- (k) Whether minors are likely to participate.

#### SECTION 5. ISSUANCE OF PERMITS.

The application is expressly included as part of any permit granted. A permit shall be issued on a form supplied by the County, to the person who signed the application. Such person shall be required to accompany the parade or demonstration, and the permit shall be invalid unless in his possession. The permit shall be deemed issued under the terms and for the purposes stated in the application only, unless otherwise noted. The permit shall set the duration, speed of travel and space between persons or vehicles in the parade or demonstration, may prescribe the portions or areas of roads, streets, alleys, sidewalks, or other public places to be used, and may impose such other reasonable requirements necessary for the control and free movement of pedestrian or vehicular traffic and to protect the safety and property rights of participants and the general public.

The Sheriff shall issue a permit unless he makes written findings based upon specified facts that:

- (a) The activity cannot be conducted without unreasonable interference with normal pedestrian or vehicular traffic in the area;
- (b) The activity cannot be held without unreasonably interfering with provision of normal police and fire protection to the public;
- (c) The activity is being held for an unlawful purpose, or would violate a federal, state, or local law or ordinance; or

- (d) The event will require the closing of or unreasonably restrict the flow of vehicular traffic along a highway under the control of the State of North Carolina, in which case permission should be sought by the applicant from appropriate State officials.

**SECTION 6. ALTERNATE PERMITS.**

The Sheriff, in denying an application as submitted, may grant a permit for a date, time, place, or over a route different from that named by the applicant, or subject to stated requirements and conditions. An applicant desiring to accept an alternate permit shall, within twenty-four (24) hours after notice of the action of the Sheriff, file a written notice of acceptance with the Sheriff, on a form supplied by the County.

**SECTION 7. PROCESSING TIME AND NOTICE.**

Applications shall be processed and decisions made as expeditiously as possible, and at least within forty-eight (48) hours. If the application was submitted more than seven (7) days in advance of the event, the permit, alternate permit, or written notice of denial shall be mailed to the applicant. Otherwise, the Sheriff's Department shall exercise reasonable diligence in attempting to notify the applicant of the action taken as soon as possible by telephone or other means. Any person aggrieved by action taken on a permit application may file a written notice of appeal, first with the County Manager and then with the governing body. The County Manager shall act on the appeal as expeditiously as possible, in good faith. The County Commissioners shall hear an appeal at the first meeting at which the law allows the matter to be considered.

**SECTION 8. REVOCAION OF PERMIT.**

The Sheriff may revoke any permit granted for a parade or demonstration for the following causes:

- (a) The substantial violation of this Ordinance or the terms and conditions of a permit; or
- (b) Violation of other laws by those participating in the parade or demonstration.

**SECTION 9. INTERFERENCE PROHIBITED.**

No person shall hamper, obstruct, impede, or interfere with any parade or demonstration being conducted under authority of a lawfully issued permit. No driver of any vehicle shall drive between the vehicles or persons comprising a parade or demonstration when such vehicles or persons are in motion and identifiable as a parade or demonstration under this Ordinance.

**SECTION 10. SIGNS.**

Signs or posters carried by participants shall be made of cardboard no thicker than one-fourth (1/4) inch. Supports for such signs or posters shall be made of a non-metallic material no wider than three and one-half (3 1/2) inches nor thicker than one (1) inch. The diameter of round supports may not exceed two (2) inches.

**SECTION 11. PARKING RESTRICTIONS.**

The Sheriff, when reasonably necessary, may prohibit or restrict the parking of vehicles along a road, street, or highway constituting a part of the route of a parade or demonstration. The Sheriff shall cause signs to be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street if such signs are posted less than twenty-four (24) hours in advance.

**SECTION 12. VIOLATION OF STATE LAW.**

The prohibition contained in C.S. 14-277.2 against possession of dangerous weapons and other provisions of law shall be strictly enforced.

**SECTION 13. SIDEWALK OBSTRUCTIONS.**

Police officers observing unreasonable obstructions of sidewalks as a result of a parade or demonstration, such that pedestrians are unreasonably hindered or forced to step into the street, shall take reasonable steps to make the sidewalk available for pedestrian travel.

**SECTION 14. EXEMPTIONS.**

The provisions of this Ordinance shall not apply to:

- (a) Funeral processions;
- (b) Students going to or from school classes or participating in educational or recreational activity where such activity is under the supervision and direction of the proper school authorities;
- (c) Any governmental agency acting within the scope of its functions;
- (d) Picketing or other orderly processions on the sidewalks, involving fewer than ten (10) persons, and conducted entirely within one (1) block, that do not violate any other municipal or state law; and
- (e) A parade that is conducted under the sponsorship of the County of Caswell, Town of Yanceyville, Caswell County Chamber of Commerce, Caswell County Board of Education, or Caswell County Schools.

**SECTION 15. ENFORCEMENT.**

- (a) Violation of this Ordinance shall be a criminal misdemeanor, punishable upon conviction by a fine of not more than Fifty (\$50.00) Dollars or imprisonment for not more than six (6) months, as provided in G.S. 14-4.
- (b) In addition to or in lieu of criminal remedies, violation of this Ordinance shall subject the offender to levy of a civil penalty in the amount of Twenty-Five (\$25.00) Dollars. Civil penalties remaining unpaid after seven (7) days may be collected by means of a civil action in the nature of debt.

(c) This Ordinance may also be enforced by an appropriate equitable remedy issuing from a Court of competent jurisdiction.

**SECTION 16. SEVERABILITY.**

Invalidation by a Court of a section of this Ordinance shall not render unenforceable other portions of the Ordinance if they may reasonably be enforced in the absence of the invalid portion.

ADOPTED THIS THE 6TH DAY OF NOVEMBER, 1989.



Gordon C. Satterfield, Chairman  
Caswell County Board of Commissioners

ATTEST:



Wanda P. Smith  
Clerk to the Board

